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Huxley College of the Environment

516 High Street
Bellingham, Washington 98225-9079
(360) 650-3520 □ Fax (360) 650-2842

December 4, 2006

Lucille T. McInerney
Site Manager
Department of Ecology
3190 160th Avenue
Bellevue, WA 98008-5452

Re: Whatcom Waterway Site – Draft RI/FS and Draft EIS Documents

Dear Ms. McInerney:

I am writing to voice my support for Alternative 6, as the preferred remedial approach for addressing the historic contamination problems associated with the Whatcom Waterway site in Bellingham, Washington. Given the nature of the problem and the community's plans for revitalizing that portion of the waterfront, Alternative 6 provides the best opportunity for a solution that meets the fundamental principles of sustainability.

In my capacity as Dean of the Huxley College of the Environment at Western Washington University, I have been actively engaged in the complicated process to investigate, evaluate and implement the transition from an industrial waterfront economy to one that that will be based on a more vibrant mix of business, academic, research, residential, and recreational uses. To be successful, this new waterfront must also reconnect our community to Bellingham Bay shorelines that are restored to support natural systems, state-wide salmon recovery, and clean water. Because Alternative 6 is designed to be compatible with natural systems and local land use plans, it offers the best opportunity to demonstrate environmental stewardship at the local level and also as an example for other coastal communities across the state and even nationally.

For several years, Western Washington University has been working on plans to accommodate a growing student population. In 2004, as the Port began exploring the possibility of acquiring the Georgia-Pacific property, they invited us to consider the possibility of expanding our campus on the waterfront. Following an intensive period of planning and discussion within the university, we provided a presentation to the Port Commission this April, describing a conceptual proposal for moving certain programs to the waterfront, including Huxley College. The proposal was warmly received by the Port and we are continuing to work in that direction. Under the current plan, the university presence on the waterfront would be on the south side of the waterway between the Log Pond and Laurel Street. The proposal under Alternative 6 to restore shorelines, safely

cap deeply buried mercury-contaminated sediments, and convert the Whatcom Waterway to a locally managed channel in this area is compatible with the university's current redevelopment plans.

Huxley College has also been actively engaged in much of the research that has been used in developing the Whatcom Waterway technical documents which are currently under public review. Research performed by Huxley faculty and students have included current studies, sediment investigations, and eco-risk assessments. Most recently, Huxley staff provided benthic studies associated with the 5-year monitoring review of the Log Pond cap, which is an important component of the Remedial Investigation and Feasibility Study. Huxley's research helps confirm that environmental cap at the Log Pond is functioning as designed, with the exception of some erosion around the edges that will be addressed in the final cleanup actions. However, it is clear that this research demonstrates the successful restoration of marine habitat functions that can be expected under Alternative 6.

During our work with the Port, including briefings and site tours that have been provided to our Trustees, faculty, and staff, we have had the chance to discuss numerous technical and policy issues. Our overall impression is that the Department of Ecology has done an outstanding job of requiring the Port to address a very broad range of concerns about ecosystem functions, mercury speciation and toxicology, shoreline stability, seismic and storm events, and the types of human activity that must be considered such as ship traffic, prop wash, dredging operations and beach recreation. Ecology has also required the Port to develop a range of feasible solutions that will meet the State's very stringent and protective standards for sediment quality and water quality in Bellingham Bay.

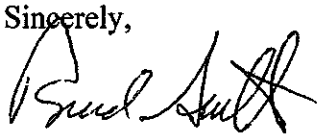
However, from my perspective, the factor that is the most crucial to the success of the Whatcom Waterway cleanup is the strength of the working relationship between Ecology and the local community. Ecology and the Port have been co-managers of the Bellingham Bay Demonstration Pilot since 1996. Huxley has also participated in this cooperative partnership among federal, state and local agencies, during key phases of the project. We have heard time and again from the Port and City of Bellingham, that Ecology's commitment to this approach has been very much appreciated while the community has been working through the complicated process of visioning, planning and implementing the fundamental transition to a new waterfront economy. By working with the community during this change, Ecology has ensured that the cleanup decision for the Whatcom Waterway site will be aligned with future land uses and therefore sustainable over the long term. Alternative 6 clearly provides the appropriate combination of targeted dredging, removal and dewatering of industrial sludge from the Aerated Stabilization Basin, capping of low-level contamination where it is stable, and off-site disposal of dredged material to an appropriately permitted facility.

These remedial actions under Alternative 6 will allow the community to create a new waterfront that will support a mix of uses and public access to healthy and restored shorelines. This solution to our local "Brownfields" problem will provide a significant buffer to Bellingham's growth management challenges, as well as very creative

applications of "soft bank" and habitat benches within urban shorelines. There are several striking examples of this both/and approach that are evident in Alternative 6. One is the proposed conversion of a large and obsolete industrial wastewater treatment lagoon, i.e., the ASB, into a new "Clean Ocean Marina", providing restored habitat functions, new public access and moorage for our local boating community. This is a unique opportunity to recycle a highly impacted portion of the waterfront and convert it to a water-dependent facility with a net environmental benefit. Similarly, the restoration of highly impacted shorelines along the length of Whatcom Waterway will support the community's plans for public access and long contiguous waterfront promenades.

We at Huxley College look forward to being part of this transition and continuing our research to support appropriate stewardship of Bellingham Bay for generations to come. Alternative 6 provides the best opportunity to realize this potential and I strongly encourage you to select it as the basis for Ecology's cleanup decision for the Whatcom Waterway site.

Sincerely,



Brad Smith, Ph.D.
Professor and Dean

From: bob kehoe [bobkehoe@comcast.net]
Sent: Tuesday, November 21, 2006 8:49 PM
To: McInerney, Lucy (ECY)
Cc: bay foundation
Subject: bay
Leave the mercury where it is, stirring it up will be more harmful.

From: Rod Dean [rodandsusan@comcast.net]
Sent: Thursday, October 19, 2006 12:42 PM
To: McInerney, Lucy (ECY)
Subject: Bellingham Bay report
Ms. Lucille T. McInerney,
My comments on the Bellingham Bay report follow:

Thank you for the tremendous effort.

I am glad to see that all eight alternatives appear to be environmentally sound.

Since I would like to see a marina in the basin alternatives 1-4 do not satisfy me even though they do effectively cap the material.

alternatives 5 and 6 appear to give us the "most bang for the buck."

alternatives 7 and seem to be disproportionately expensive.

Rod Dean
Vice-Commodore
Squalicum Yacht Club

Bay Clean up

From: Doug Bright [dougbright542@msn.com]
Sent: Thursday, November 16, 2006 9:44 AM
To: lightsourceon@comcast.net
Cc: Derek@Sconnect.org; johnblethen@hotmail.com; waters@re-sources.org; chris@chritopherjwebb.com; McInerney, Lucy (ECY)
Subject: Bay Clean up

Dear sirs and ms,

11 16 06

I am sending this to you this morning because I think their is a better cheaper alternative for the bay clean up than those that have been offered so far. The option I am talking about involves extracting the contanimated mud from the Bay. Then through a series of freeze thaw processes drawing out the salt. That will allow the mud , now dry and without salt to be burnt in a cooking process develped and marketed by Dynamotive corporation. They have a working plant in Canada. This machine produces Char, Bio oil and methane.It is a self perpetuating process. The Bio oil can be burned in the present power plant on the georgia Pacific property. All of this can be put together much cheaper than the proposed capping in place or extracting and shipping to a secure land fill site.

Sincerely, Doug Bright Building Designer
9 Sudden Valley
Bellingham, WA 98229 4819

Ph 360 752 2300

PS I will be at the meeting tonight if you want to to talk with me.

From: Kurt Brunhaver [kurtbrunhaver@qwest.net]
Sent: Tuesday, November 21, 2006 2:08 PM
To: McInerney, Lucy (ECY)
Cc: info@bbayf.org
Subject: Bellingham bay clean up

I live in Bellingham. My kids live in Bellingham. This whole cleanup debate seems so simple to me. If we remove the mercury/pollutants, we minimize our future risk of exposure to this less than friendly toxin. We do not limit our options for the future and what seems so obvious is it will NEVER be cheaper to get rid of the mercury and other pollutants right now than in the future. The long-term benefits are so much better than the short term costs.

I and my family want a cleanup plan that removes ALL the mercury and associated toxins. I DO NOT want to cap them in place. That would be a huge risk!

Thank you for reading my note. I truly hope you will consider my comments. This is VERY important to me.
Sincerely,
Kurt Brunhaver
Bellingham, WA.

From: Rick/Sheila [rhodesfam@nas.com]
Sent: Tuesday, November 28, 2006 4:10 PM
To: McInerney, Lucy (ECY)
Subject: Bellingham Bay Cleanup

Please:

Fullly dredge removal of all mecury in the Whatcom Waterway, ASB lagoon and adjacent areas wherever it occurs above the Minimum Cleanup Level (0.59 parts per million) until the contamination is fully removed.

Complete upland disposal of mercury-contaminated sediments to a certified and protective upland landfillll, designed & sited specifically for waste disposal.

Return ASB lagoon to aquatic habitat to function as land that once existed as part of the larger Whatcom Creek Estuary.

Thank you, Richard A. Rhodes
360-733-6809

From: Ryan M. Ferris [rferrisx@comcast.net]
Sent: Wednesday, November 29, 2006 11:29 PM
To: McInerney, Lucy (ECY)
Cc: editor@nwcitizen.us
Subject: Please submit this for the record for the Whatcom Waterway Clean-up

Attachments: WhatLiesBeneath_003.pdf

Dear Lucy McInerney:

Please submit the attached document as comment on the Whatcom Waterways clean up project. I would also like all four CDs listed here:

http://www.ecy.wa.gov/programs/tcp/sites/whatcom/ww.htm

Or you can burn them onto 1 DVD if you like.

Thanks,

Ryan M. Ferris
1401 E. Victor
Bellingham, WA
98225

360.676.2734 home
360.815.6856 cell

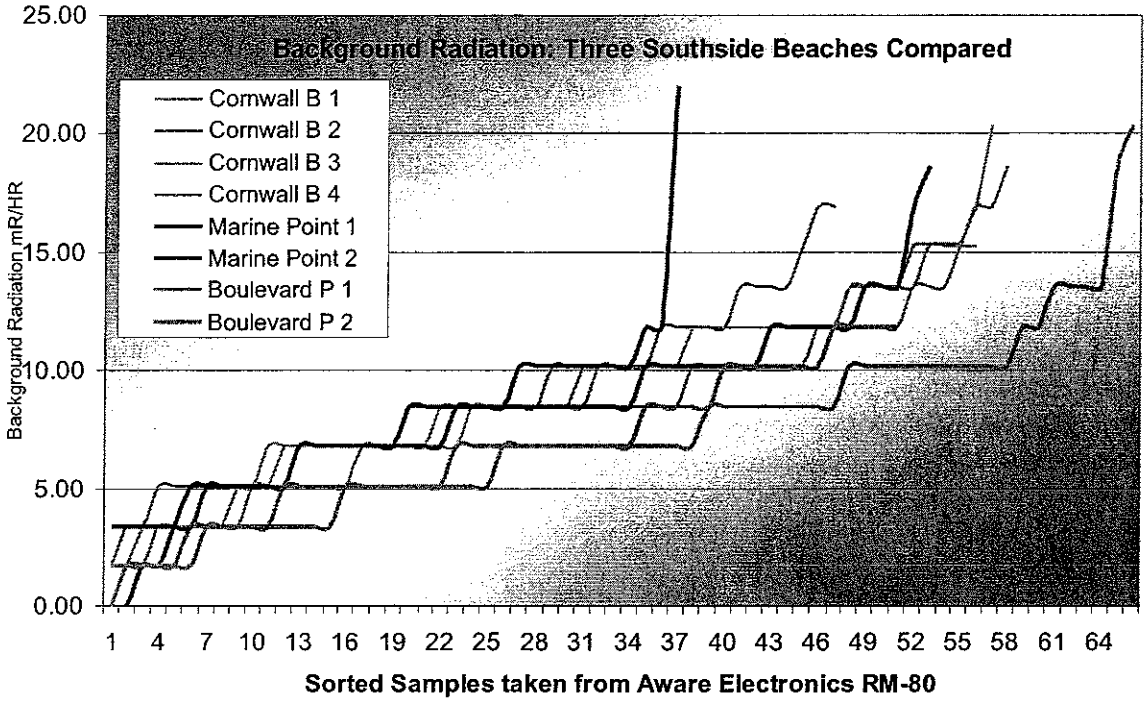
What Lies Beneath...

The talk is enough to make your heart skip a beat. The very idea that Georgia Pacific may have accepted nuclear waste from Hanford and shoved it down the coal mines under Bellingham Bay is a proposition that, if proven, would send shivers of fear and disgust down the spine of any investor or family in Whatcom County. Is there any proof to support this contention? Or is the remaining proof disappearing as GP carts away historical documents by the truckload?

Whatcom County has an exceptionally high "age adjusted" cancer rate, ranking fifth out of thirty-nine Washington Counties with nearly 900 incidences of cancer per year. Anyone familiar with our county's history or current industrial base might find many potential environmental sources of cancer: two oil refineries, a pulp plant, numerous dumpsites, a degrading water supply, agricultural pesticides, etc. But most insidious of all potential carcinogens are radioactive materials. Were they dumped in the Cornwall landfill? One Port of Bellingham document seems to suggest so. It documents water table testing that found Cesium 127 (typically medical radiological waste) and Tritium (an isotope of Hydrogen and a by product of nuclear fission) found in the Cornwall Landfill water table. What do Geiger counters tell us at beach side on the south side parks? I set out last week to find out, since no public agency seems to be doing this type of testing. Although I did not find any results above 25 micro Roentgens/hour at either Marine Point, Boulevard Park, or Cornwall Beach, I really have no idea if my testing can be considered conclusive.

And this is the precisely the problem in Bellingham now, where our Council recently voted 6 - 0 to sue a citizen's organization to prevent a petition from reaching the ballot that would authorize extensive environmental testing of the Cornwall Lagoon. The proposal would mandate that this testing be completed *before* the Port of Bellingham and the City Council allow the landfill to be dug up to build a very expensive marina. As citizens, we should not have to try to find out the truth for ourselves, as I did last week while sitting on a very dirty and glass littered Cornwall Beach at low tide; logging background radiation against the surf. The stakes are high indeed for such investigative work. But the sage will remind the Bellingham City Council that illegally dumping radioactive material is a federal crime, as would be conspiracy to cover up evidence of such dumping.

What is called for here is ruthless full disclosure and testing. No one wants to face the demons of past lives. Unfortunately, such demons often live to haunt the present until what lies beneath is exposed.


Background Radiation: Three Southside Beaches Compared
Cornwall B 1
Cornwall B 2
Cornwall B 3
Cornwall B 4
Marine Point 1
Marine Point 2
Boulevard P 1
Boulevard P 2
Background Radiation mR/HR
25.00
20.00
15.00
10.00
5.00
0.00
1 4 7 10 13 16 19 22 25 28 31 34 37 40 43 46 49 52 55 58 61 64
Sorted Samples taken from Aware Electronics RM-80

WASHINGTON STATE DEPARTMENT OF
Natural Resources

DOUG SUTHERLAND
Commissioner of Public Lands

December 6, 2006

Lucille T. McInerney, Site Manager
Department of Ecology
3190 160th Avenue
Bellevue, WA 98008-5452

Re: Whatcom Waterway Site – Draft RI/FS and Draft EIS Documents

Dear Ms. McInerney:

As one of the principle state agencies participating in the Bellingham Bay Demonstration Pilot, I am writing to express my support for Alternative 6, as described in the October 10, 2006, *Draft Supplemental RI/FS and EIS* documents for the site. This letter supplements the Department of Natural Resources (DNR) comments on the Whatcom Waterway site sent by Chad Unland on July 20, 2006.

Under the Pilot, Ecology and DNR have worked cooperatively with the local community to develop land management plans for state-owned aquatic land, including habitat restoration, sediment cleanup and sustainable land use. In October 2000 the team published a Comprehensive Strategy for Bellingham Bay, which has provided guidance and policies for site cleanup and habitat restoration. DNR has worked cooperatively on the several revisions to the October 2000 Comprehensive Strategy to incorporate revised local land use plans that affect state owned aquatic land.

The Port has also been working with DNR both under the interagency agreement establishing the Bellingham Bay Demonstration Pilot, and a more recent Memorandum of Understanding that supports the community vision for creating a new waterfront. Under this MOU, the Port and DNR are addressing appropriate adjustments to state harbor areas, waterways, property management, environmental remediation and habitat restoration. These discussions are still in progress, including appropriate public involvement. For instance, DNR is currently reviewing, under a public process, Port requested changes to the Bellingham Harbor Area. These and other changes are being closely coordinated with Ecology's progress on the Whatcom Waterway site and the Port and City's progress on local land use and shoreline planning.

DNR appreciates the opportunity to review and comment on the draft documents for the Whatcom Waterway site and Ecology's clear intention to select a remedial approach for the site that reflects the profound transition in waterfront land use that is occurring in Bellingham. Given the nature of the contamination problems and the changes in community land use DNR concurs

with the evaluation of the range of cleanup alternatives described in the Whatcom Waterway documents. Alternative 6 provides a cleanup approach for the Whatcom Waterway site that not only meets the state's stringent criteria for sediment cleanup, but also supports state-wide goals for salmon recovery, management of state-owned aquatic lands, and the local community's vision for waterfront cleanup and redevelopment.

Based on the information provided in the documents and our ongoing discussions with the Port of Bellingham, and in consideration of the Department's July 20, 2006 comments, we recommend Alternative 6 as a feasible approach for site cleanup under MTCA. This alternative meets the goals and objectives of the current Comprehensive Strategy for Bellingham Bay, and DNR's overall interests in the management of state-owned aquatic land.

We look forward to continuing our work with Ecology, the Port, and the other agency participants in the Pilot through the coming years. Please contact David Roberts, Assistant Regional Manager at 360-854-2805 if you would like additional information.

Sincerely,

Francea L. McNair
Aquatic Lands Steward

cc: Port of Bellingham
David Roberts, DNR

Diane Lookman

From: diane lookman [dddiner@hotmail.com]
Sent: Monday, November 27, 2006 12:42 PM
To: McInerney, Lucy (ECY)
Cc: info@bbayf.org
Subject: letter to the DOE

Lucille T. McInerney, P.E. Site Manager

Washington State Department of Ecology

Northwest Regional Office

3190 160th Avenue

Bellevue, WA 98008-5452

Dear Lucille T. McInerney, P.E. Site Manager

Please clean up Bellingham Bay to the highest possible standard. This citizen and this letter support the Bellingham Bay Foundation calling for the DOE to approve a plan that prioritizes removing mercury-contaminated sediments rather than capping them in place. Like them, I think the long-term benefits of this approach far outweigh the short-term costs.

As for the costs, from first hand experience I know that environmental clean-up is expensive in time and money. From personal experience I shudder to think about what I am asking of you. But I do not hesitate to exercise my right to speak out as a citizen to clean up the waterway fully and comprehensively.

It is my humble opinion that solving a problem starts with identifying the problem correctly and problem solving from that point - in this case, there is mercury contamination in Bellingham Bay at the old Georgia Pacific Site. That they cannot be legally held responsible for the mess they left behind is moot at this juncture. Having reviewed the literature, I believe the wisest approach and in the end the shortest solution time is to fully remove the mercury-contaminated sediments in our waterways. In the end, I believe this may be the cheaper alternative if in hindsight we look back at a failed attempt to cap mercury-contaminated sediments in place. This is how I want my tax dollars spent.

Thank-you for the time it takes for you to read my letter. Good luck in your decision making.

Sincerely,

Diane Lookman
1504 Irving Way
Bellingham WA 98225

From: Thomas Gotchy [tellytom@msn.com]
Sent: Tuesday, November 21, 2006 1:47 PM
To: McInerney, Lucy (ECY)
Cc: Bellingham Bay Foundation
Subject: Remove mercury from the GP site, Bellingham Bay

Lucille T. McInerney, P.E. Site Manager
Washington State Department of Ecology
Northwest Regional Office

We need to remove the mercury which contaminates the Bellingham GP site, not leave it buried in the sediment, where with enough time it will slowly leach out into greater Puget Sound. Maybe I'm getting this
wrong, but I thought we were trying to clean up Puget Sound. I thought we were supposed to be doing something about levels of mercury found in our salmon and Orca populations. Now is the time to clean it up, not after more irreparable damage is done. Now is the time while it is still concerted in one small location, not after it has dispersed through the environment and becomes impossible to recover. Now is the time, not later. If it is the matter of money that is making us hesitate from doing the right thing, now is our open window of opportunity. Now is the least expensive time and we need to take advantage of this opportunity while we can. Tomorrow or the day after tomorrow will be too late.

Sincerely,
Thomas Gotchy
2911 Ellis Street
Bellingham, Washington 98225
tellytom@msn.com

6605 Lunde Road
Everson, WA 98247
E-mail kandianderson@nas.com
Phone: 360-398-8322
December 11, 2006

To Whom It May Concern:

If your still open to suggestions on ways to unload soil dredged from the Whatcom waterway, I hope you will consider this letter carefully. By doing so you may help save the Port many millions of dollars.

Dredging the fill from the Whatcom Waterway is a problem because there appears no economical way to get rid of the material. Neither barges nor rail offer cheap solutions and there are no large sediment basins nearby to receive the stuff. Dumping at sea is a definite no-no.

As a last resort, the material could be pumped over the dike and into the sludge pond. But that would mean that it would burry and mix with much more contaminated material. That would require the slightly contaminated waterway material to be dried and shipped to distant deposit sites along with the contaminated pond sludge. So that is not a good answer either.

I am proposing that the waterway material be used to provide a base for a large beachfront area west of the sludge pond. The three enclosed sketches will give you some idea of what I have in mind.

Drawing 1 shows the plan view. At nine acres the recreation area is probably larger than it will be, but it does show the concept.

Drawing 2 shows the side view of the area from the sludge pond to the end of the project at the sheet pile wall.

Drawing 3 shows a detail of that side view at the sheet pile wall.

Sequence of construction would take place as follows:

1. The sheet piles would be driven on the previously determined line. Since they would be permanently exposed to the sea, they should be treated to keep in good shape.

2. The waterway soil would be dredged and pumped into the area behind the wall. The wall would stop the seaward flow of that material and any harmful properties it might have.

3. After the waterway soil was in place, it would be graded and compacted at low tides.

4. Then the clean sand or gravel would be brought in to cover the waterway fill. It would provide protective cover up to the level of the top of the sheet pile wall at the west end. The addition of this clean material would complete the construction.

On the positive side of this suggestion we have these ideas going for it:

1. We would have found a cheap and convenient place to dispose of the waterway fill.

2. A large area of prime beachfront would become available to the Port. With clever design by others, this would be a huge benefit, worth many millions.

3. We would have developed competition between the railroad and barges for transportation of the sludge from the pond. If the decision is made to export the pond's sludge by barge, the area developed could be used temporally for processing that sludge. Presently, processing areas are very tight. The railroad then would no longer have such a corner on the sludge exporting market. This factor could result in a substantial savings to the Port.

These big negatives come to mind, and others may think of more:

1. The area developed would not come cheap. The cost to buy and drive the sheet piles would be a big consideration. An estimate could be worked up on those figures, as well as other construction costs.

2. The area would not be accessible to boats. That sheet pile wall would be a permanent fixture that tears up their bottoms. So a liberal use of warning buoys would be required. I believe, however, that some good suggestions from others would take care of the worst of this idea.

3. All, not just a part of the waterway fill would have to be taken. Taking a part would leave the same old disposal problem with the remainder. This would mean that the estimated cubic yardage of waterway fill should not be low. If it were low the remainder of the fill required would be much more expensive.

4. Time will be required to develop plans for this proposal and to drive the sheet pile wall. In the meantime the waterway material just sits there tying up any proposed benefit for a couple years or more. This could be a big political negative since we have a public that is already impatient for results. But aren't the benefits worth the wait?

5. It may be difficult for good people who have spent many hours working on solutions to a problem to accept new suggestions from the outside. The natural reaction is to try to put a polish on the original thoughts. I appreciate that. But such a position could neglect the chance to save the Port a great deal of money.

A logical approach would be to consider the positives and negatives closely and carefully estimate their values. Please make your decisions by considering the benefits for the Port from this time forward. I would be pleased to work with you toward that goal.

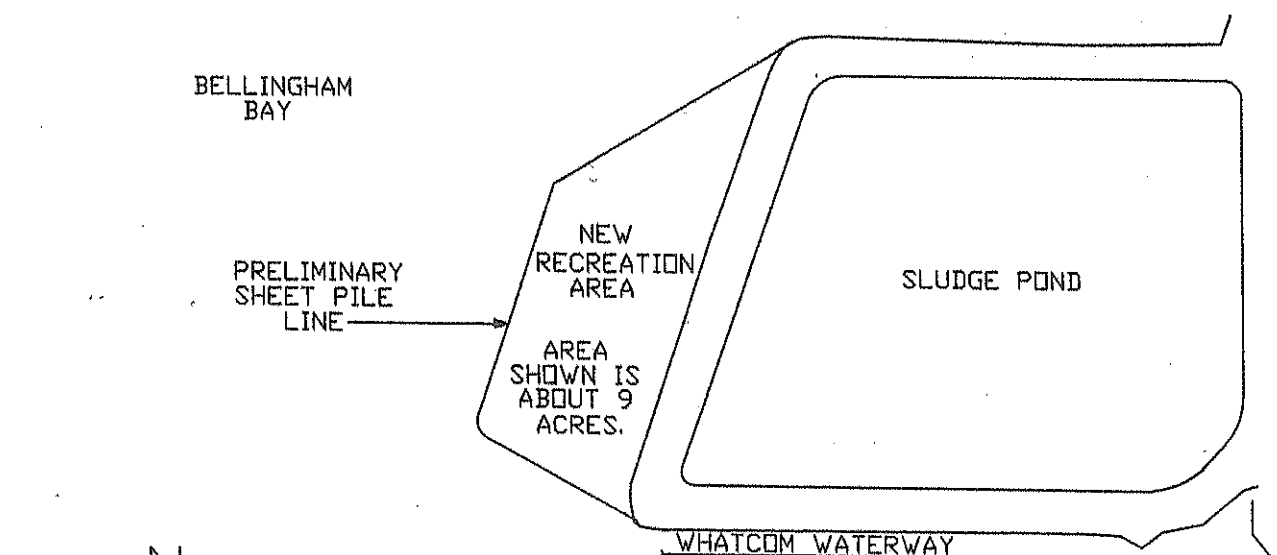
Thank you for your consideration.

Very truly yours,

3 drawings enclosed

Ken Anderson, P.E.

PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT



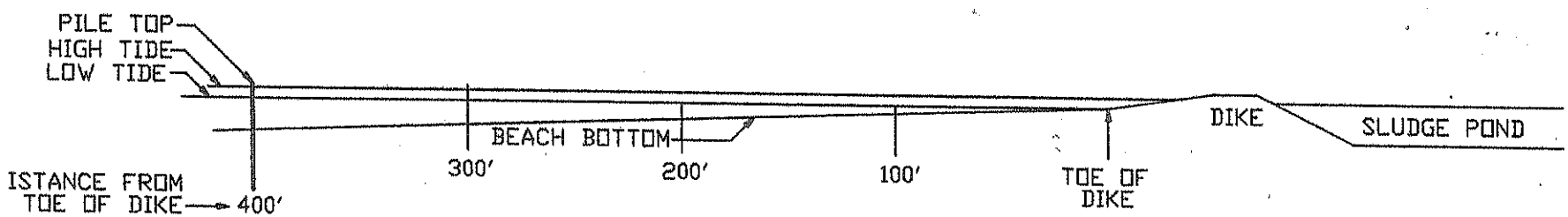
THE NINE ACRES IS LARGE BECAUSE OF THE SHALLOW EXISTING BEACH AND BECAUSE A LARGE QUANTITY OF WATERWAY MATERIAL MIGHT BE MIGHT BE BURIED THERE IN THE FUTURE.

SKETCH OF SLUDGE POND, WATERWAY AND THE NEW PROPOSED RECREATIONAL AREA

KEN ANDERSON PE
12-10-06

DRAWING (1)

PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT



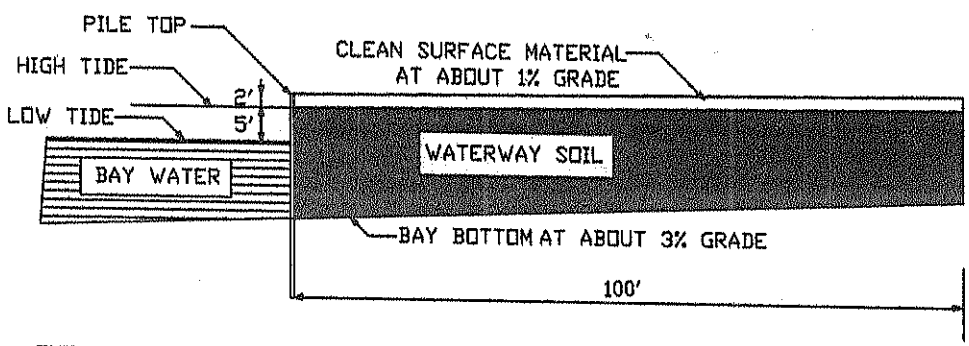
BEACH AFTER SHEET PILES ARE DRIVEN AT 400' BUT BEFORE FILL BEGINS.

KEN ANDERSON P.E.
12-10-06

DRAWING (2)

PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT

PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT



THE PILE IN THE SECTION SHOWN IS ABOUT 400' FROM THE DIKE'S TOE OF SLOPE.

A 30' SHEET PILE IS SHOWN BUT LENGTHS WILL VARY WITH CONDITIONS.

CONDITIONS SHOWN ARE AT LOW TIDE UPON COMPLETION OF WORK.

SECTION OF PROPOSED SHEET PILE WALL

KEN ANDERSON, P.E.
12-10-06

DRAWING (3)

PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT

PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT